

## REMARKS

Claims 1-22 are currently pending in this application. In an Office Action dated June 3, 2005, all pending claims are rejected on prior art grounds. Additionally, claims 7 and 13 are rejected as being indefinite and the specification is objected to. In reply, Applicant submits the present Amendment which overcomes the outstanding rejections and objections. The various issues raised by the Examiner in the Action are now addressed in turn.

The disclosure is objected to due to the presence of claim numbers at pages 3-10 of the specification. A substitute specification pursuant to 37 C.F.R. 1.125 is being submitted under separate cover in order to address the Examiner's concerns. Particularly, in the substitute specification the objected claim enumerations are removed from the disclosure.

Claims 7 and 13 are rejected under 35 U.S.C. §112, second paragraph, for allegedly failing to particularly point out and distinctly claim the invention. Specifically, the Examiner contends that claims 7 and 13 lack proper antecedent basis. Herein, claims 7 and 13 are amended to address the Examiner's concerns. Applicant submits that amended claims 7 and 13 now satisfy all provisions of §112, thus reconsideration and withdrawal of the outstanding rejection is respectfully requested.

Claims 1, 3-5, 8, 14, 15, and 18-20 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,838,865 to Gulick. Previously, Applicant argued to overcome Gulick based upon Applicant's priority claim under 35 U.S.C. §119(a) to Danish

Patent Application No. PA 1997 00415 which antedates Gulick. (See, Applicant's response dated 14 March 2005.) However, in the outstanding Office Action, the Examiner alleges that the claimed subject matter does not find support in the Danish priority application. See, Office Action, p.13. Applicant respectfully disagrees and submits that the present claims are sufficiently supported by PA 1997 00415 in the manner required by 35 U.S.C. §112 and thus the priority claim under §119(a) is proper and Gulick is accordingly overcome. MPEP 201.15.

Under 35 U.S.C. §119(a), the claims in a U.S. application are entitled to the benefit of a foreign priority date if the corresponding foreign application supports the claims in the manner required by 35 U.S.C. 112, first paragraph. *In re Ziegler*, 992 F.2d 1197, 1200, 26 USPQ2d 1600, 1603 (Fed. Cir. 1993); *Kawai v. Metlesics*, 480 F.2d 880, 178 USPQ 158 (CCPA 1973); *In re Gosteli*, 872 F.2d 1008, 10 USPQ2d 1614 (Fed. Cir. 1989). To satisfy the written description requirement of §112, first paragraph, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art could reasonably conclude that the inventor had possession of the claimed invention. See, e.g., *Moba, B.V. v. Diamond Automation, Inc.*, 325 F.3d 1306, 1319, 66 USPQ2d 1429, 1438 (Fed. Cir. 2003); *Vas-Cath, Inc. v. Mahurkar*, 935 F.2d at 1563, 19 USPQ2d at 1116. An applicant shows possession of the claimed invention by describing the claimed invention with all of its limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention. *Lockwood v. American Airlines, Inc.*, 107 F.3d 1565, 1572, 41 USPQ2d 1961, 1966 (Fed. Cir. 1997). The subject

matter of the claims need not be described literally (i.e., using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement. MPEP §2163.02.

An English translation of Danish Patent Application No. PA 1997 00415 (hereinafter, “the ‘415 application”) is again provided herewith for the Examiner’s reference.

Applicant’s claim 1 recites “An illumination unit for point illumination of a medium”. This is the precise title of ‘415 application. Moreover, support for the present claims may be found at least at: page 5, lines 7-20; page 10, lines 6-34; and page 14, lines 22-29. For example, claim 1 recites “a plurality of light emitters comprised of light guides arranged to illuminate an illumination face via a light valve arrangement comprising a plurality of electrically controlled light valves, each of at least two of the light emitters being arranged to illuminate a plurality of light valves”. The ‘415 application describes using a plurality of light emitters, comprised of e.g. optical fibers, to illuminate a surface via a light shutter arrangement. Page 5, lines 7-20. The ‘415 application further details light guides and light emitters as claimed at page 10, lines 6-34. The ‘415 patent also broadly describes the claimed concept of increasing illumination homogeneity over an illumination surface by combining a plurality of light emitters and light distributors (e.g., shutters, valves, etc.). Page 14, lines 22-29.

Clearly, the ‘415 application describes the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention. That is, the ‘415 application describes the claimed invention with all of

its limitations using such descriptive means as words, structures, figures, diagrams, and formulas that fully set forth the claimed invention. Accordingly, the '415 application describes the claimed invention in accordance with 35 U.S.C. §112, thus Applicant is entitled to the benefit under §119(a) of the '415 application. Since the '415 application was filed before Gulick, the former antedates the latter and Gulick is thus removed from the prior art.

Accordingly, the §102 rejection of claims 1, 3-5, 8, 14, 15, and 18-20 based upon Gulick are improper and may not be maintained; reconsideration and withdrawal thereof is respectfully requested.

Claims 2, 6, 7, 9-13, 16, 17, 21, and 22 are all rejected as being obvious under 35 U.S.C. §103(a) in view of Gulick as variously combined with U.S. Patent No. 4,619,508 to Shibuya, U.S. Patent No. 5,548,349 to Mizuguchi, U.S. Patent No. 5,633,737 to Tanaka, U.S. Patent No. 5,281,960 to Dwyer, and U.S. Patent No. 3,553,364 to Lee. However, all of these rejections are based upon the Gulick reference which, as demonstrated above, is not prior art with respect to the claimed invention. Thus, these obviousness rejections are improper and may not be maintained; reconsideration and withdrawal thereof are respectfully requested.

Claims 1, 4, 7, 15, and 18-20 are rejected in the outstanding Action as being anticipated under 35 U.S.C. §102(b) by U.S. Patent No. 5,608,833 to Au. Claim 1 recites an illumination unit for point illumination of a medium comprising, inter alia, "a plurality of light emitters comprised of light guides...[and] a plurality of electrically controlled light

valves, *each of at least two of the light emitters being arranged to illuminate a plurality of light valves.*” (Emphasis added.) Applicant respectfully submits that at least this feature of the invention is simply not found in the Au reference. That is, Au does not teach or even suggest light emitters comprised of light guides arranged such that each of at least two light emitters illuminates a plurality of light valves, as claimed.

In the Office Action, the Examiner identifies a “light beam 20 and image plane 13” of Au as being analogous to the claimed *plurality of light emitters*. Office Action, page 4. The Examiner further states that these ‘light emitters’ comprise light guides consisting of a fiber array 12. *Id.* It is not understood how a light beam and a plane can comprise optical fibers. Moreover, it is noted that “at least two” fibers of the array 12 do not “illuminate a plurality of light valves”, as required by claim 1. Instead, the fibers of the array 12 each meet fibers of a face plate 34 such that “the image at the array’s output end 16 is coupled into the fiber face plate 34 which guides the image to the write side 36 of the LCLV 32.” Col. 4, lines 51-55. Au specifically describes a one-to-one relationship between the fibers of the face plate and the image resolution of the applied LCLV. Col. 4, lines 45-50. Here, Applicant notes that the “fibers in face plate 34 preferably have core diameters that are not greater than the image resolution of the LCLV 32.” *Id.*

Clearly, each of the fibers of Au does not illuminate a plurality of the pixels. Au instead discloses a one-to-one fiber/pixel relationship and thus does not anticipate the above-quoted limitation of claim 1. Accordingly, reconsideration and withdrawal of the relevant §102 rejection is respectfully requested.

As mentioned above, claims 4, 7, 15, 18, and 19 are also rejected as lacking novelty over Au. These claims each variously depend from novel claim 1 and are thus correspondingly novel.

Independent claim 20 is rejected as being anticipated by Au. Claim 20 recites a “method of point illumination of a medium by means of a plurality of light emitting light guides arranged to illuminate an illumination face via a light valve arrangement, said light valve arrangement comprising a plurality of electrically controlled light valves, comprising illuminating a plurality of light valves with each of at least two of the light emitters.” As discussed with respect to claim 1, Au does not teach or even suggest this highlighted limitation. Accordingly, claim 20 is novel over Au; reconsideration and withdrawal of the relevant §102 rejection is respectfully requested.

As discussed herein, the present application satisfies all requirements of 35 U.S.C. §112 and the claims are novel and non-obvious over the cited references. Accordingly, withdrawal of all objections and rejections and prompt issuance of a Notice of Allowance is gratefully requested.

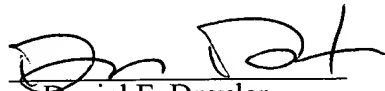
The Examiner is invited to contact Applicant’s attorneys at the below-indicated telephone number regarding this Reply or otherwise concerning the present application.

Applicant hereby petitions for any necessary extension of time required for consideration and entry of the present Reply.

Please charge any required fees for this Reply, or otherwise concerning the present application, to Deposit Account No. 06-1130 maintained by Applicant's attorney.

Respectfully submitted,

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